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Attorney for Robert Manning

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,	)	No. 22-10309
	)	
Plaintiff-Appellee,	)	DC # 19-cr-313-WHA
	)	
vs.	)	
	)	DEFENDANT'S MOTION
ROBERT MANNING,	)	FOR A 120-DAY
	)	EXTENSION OF TIME TO
Defendant-Appellant.	)	FILE THE OPENING BRIEF
_____	)	

Appellant Robert Manning, by and through appointed counsel, Karen L. Landau, moves to extend the time in which to file his opening brief. The government does not oppose this motion. The transcripts have been prepared and filed.

Appellant is currently serving a sentence of life imprisonment.

This motion is based on the attached declaration of counsel.

Dated: February 27, 2023

Respectfully submitted,

/s/Karen L. Landau  
Karen L. Landau  
Attorney for Appellant  
Robert Manning

DECLARATION OF KAREN L. LANDAU

I, Karen L. Landau, declare:

1. I was appointed to represent appellant Robert Manning pursuant to the Criminal Justice Act. His opening brief is currently due on March 20, 2023.

2. This appeal is taken from a trial on RICO charges. The trial transcript is approximately 2600 pages long. In addition, the court held extensive evidentiary hearings.

3. At present, I have several other matters that require my immediate attention. I am scheduled to file the opening brief in *United States v. Egans*, 22-50191, by April 9, 2023. Ms. Egans is serving a sentence of 48 months' imprisonment and is in custody pending appeal. I am scheduled to file the opening brief in *United States v. Mendoza*, 22-10242, by May 1, 2023. The trial transcripts in her case are approximately 1,610 pages, but the exhibits are extensive. More significantly, the *Mendoza* case presents complex and novel legal questions.

4. Previously, I filed the reply brief in *United States v. Griffin*, 22-50057, on January 6, 2023. I filed a petition for writ of certiorari in *United States v. Heard*, 18-10218, on January 16, 2023. I filed an oversize reply brief in *United States v. Boyajian*, a complex and extended appeal, on February 6, 2023. I filed the opening brief in *United States v. Ighorhiohwunu*, 22-10199, on February 21, 2023. I anticipate filing a reply brief in *United States v. Tsosie*, 22-10101, an appeal from a murder conviction, sometime in April, 2023.

5. I have communicated with Assistant U.S. Attorney Richard Ewenstein, counsel for the government. The government does not oppose the requested extension of time.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 27th day of February, 2023, at Oakland, California.

/s/Karen L. Landau  
Karen L. Landau